

Nays—7.

Buchanan of Bell. McNealus.  
Johnson of Hall. Page.  
Johnston of Harris. Suiter.  
Lattimore.

Absent.

Dechard. Smith.  
Robbins.

Absent—Excused.

Parr.

#### APPENDIX.

##### Committee Report.

Committee Room,  
Austin, Texas, Aug. 21, 1917.

Hon. W. P. Hobby, President of the Senate:

Sir: Your Committee on Education, to whom was referred

S. B. No. 6, A bill to be entitled "An Act creating the Center Oak Independent School District of Bell County, Texas, with certain metes and bounds; providing for the election of trustees of said school district; naming the trustees and officials and their terms of office; and caring for the present bonded indebtedness on said territory embraced in the Center Oak Consolidated Common School District, validating and providing for collection of present maintenance tax levy, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass and be not printed.

BEE, Chairman.

##### Engrossing Committee Report.

Committee Room,  
Austin, Texas, Aug. 22, 1917.

Hon. W. P. Hobby, President of the Senate:

Sir: Your Committee on Engrossed Bills has had Senate Bill No. 4 carefully compared, and finds the same correctly engrossed.

ALDERDICE, Chairman.

#### FIFTEENTH DAY.

Senate Chamber,  
Austin, Texas,  
Thursday, August 23, 1917.  
The Senate met at 10 o'clock a. m.

pursuant to adjournment, and was called to order by Lieutenant Governor W. P. Hobby.

The roll was called, a quorum being present, the following Senators answering to their names:

Alderdice.	Harley.
Bailey.	Hopkins.
Bee.	Johnson of Hall.
Buchanan of Bell.	Johnston of Harris.
Buchanan of Scurry.	Lattimore.
Caldwell.	McNealus.
Clark.	Page.
Dayton.	Robbins.
Dean.	Smith.
Dechard.	Strickland.
Floyd.	Suiter.
Hall.	Westbrook.

Absent.

Gibson.	McCollum.
Henderson.	Woodward.
Hudspeth.	

Absent—Excused.

Parr.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator McNealus.

#### Excused.

Senator Henderson was excused for today on account of sickness, on motion of Senator Bailey.

Senator Gibson for today and tomorrow on account of important business, on motion of Senator Bailey.

Senator Parr for today and until next Tuesday, on motion of Senator Clark.

Senator McCollum for today and until next Tuesday, on motion of Senator Johnson of Hall.

#### Messages from the Governor.

The Chair here laid before the Senate the following messages from the Governor received today.

The messages in full are as follows:

Governor's Office,  
Austin, Texas, August 22, 1917.

To the Thirty-fifth Legislature in Second Called Session:

At the request of Honorable T. T. Thompson, I hereby submit for your consideration a bill, hereto attached, being an Act creating the Johnstown

Independent School District of Red River County, etc.

Respectfully submitted,  
JAS. E. FERGUSON,  
Governor of Texas.

Governor's Office,  
Austin, Texas, August 23, 1917.

To the Thirty-fifth Legislature in Second Called Session:

At the request of Senator C. B. Hudspeth, I hereby submit for your consideration a bill, hereto attached, being An Act to amend Chapter 60 of the General Laws of the State of Texas, passed at the Regular Session of the Thirty-fifth Legislature, being an act supplementing the act creating the Live Stock Sanitary Commission for the State of Texas, and which is known as the Eradication of Cattle Ticks Law, so that hereafter Val Verde County shall be placed in Zone No. 2 instead of in Zone No. 1 as heretofore.

Respectfully submitted,  
JAS. E. FERGUSON,  
Governor of Texas.

Governor's Office,  
Austin, Texas, August 22, 1917.

To the Thirty-fifth Legislature in Second Called Session:

At the request of Honorable Ed. H. Lange and Honorable Thos. J. Martin, I hereby submit for your consideration a bill, hereto attached, being An Act amending Articles 2858, 2859 and 2860 of the Revised Civil Statutes of Texas, so as to provide for the manner of holding an election for the levying, the continuance or the discontinuance of local school taxes in independent districts incorporated for school purposes only.

Respectfully submitted,  
JAS. E. FERGUSON,  
Governor of Texas.

#### Petitions and Memorials.

See Appendix.

#### Committee Reports.

See Appendix.

#### Bills and Resolutions.

By Senator Hudspeth:  
S. B. No. 9, A bill to be entitled

"An Act to amend Chapter 60 of the General Laws of Texas, passed at the regular session of the Thirty-fifth Legislature of the State of Texas, and being an Act supplementing the Act creating the Live Stock Sanitary Commission for the State of Texas, and which is known as the Eradication of Cattle Tick Law, so that hereafter Val Verde County, in the State of Texas, shall be placed in Zone No. 2, instead of Zone No. 1 as heretofore, and declaring an emergency."

Read first time and referred to Committee on Stock and Stock Raising.

#### Simple Resolution No. 29.

By Senator Dayton:

Whereas, It is a noted fact that there has been in progress a controversy between certain State officials and the University of Texas for more than a year past; and,

Whereas, Said controversy has reached such proportions and such an acute stage as to impair the usefulness and efficiency of the University; and,

Whereas, It is necessary that some action be taken by the Legislature to restore and continue the confidence of the people in their University and in the faculty of the University; and,

Whereas, It is an institution, only about thirty-four years of age, and in this short period has grown to such proportions as to give every Texan a feeling of pride and merit his loyal support; and,

Whereas, The irregularities complained of in the University, in the judgment of the Board of Regents, after full investigation, have been found to never have amounted to moral turpitude and such irregularities have been and are being corrected by the management and the faculty of the University; and,

Whereas, It is the desire of this Legislature to explicitly express its confidence in the University of Texas, its faculty and its management to the end that the sons and daughters of Texans may receive, in Texas, an education equal to that of any university in the United States, and that the spirit of patriotism and loyalty may be instilled in the youth of the land through her own schools and University; and,

Whereas, It has been charged that authorities in charge of the University are opposed to making an item

ized budget, and that the management of the University has been wasteful and extravagant, and have kept no accounting of the funds appropriated, and that the University has been disloyal to the country, and that its president is incompetent and an educational failure; and,

Whereas, Said University, as known to every member of this Legislature, has willingly itemized its budget, and has not been extravagant and wasteful, and has in fact kept an accurate account of all money appropriated and has not been disloyal to the country, but, on the contrary, is loyal and patriotic and has on all occasions demonstrated its patriotism to the State and nation; and,

Whereas, Many volunteers of the student body are now holding high positions in both the State and national armies, and have demonstrated their patriotism; and their president, by his untiring energy and conception of details, his frankness and fairness in dealing with all matters pertaining to the University, his standing as a Christian gentleman and scholar both before and since he took his seat as president of the University, his scholarly attainments and many degrees, and the numerous students who have received a liberal education under his administration of the educational affairs in Texas, show him to be both competent and qualified; therefore be it

Resolved by the Senate of Texas, That we hereby and herewith express our implicit confidence in the efficiency, loyalty and qualifications of the faculty of the University of Texas, its management and student body, and bespeak for the University a successful career in the future; that we recommend it to the parents of Texas and to the people of the United States of America as a university offering the very best advantages to be obtained anywhere in our country; and we earnestly solicit the patronage of our people, assuring them that our teachers in the University are able, qualified, honest and patriotic in every sense of the word, as much so as can be found anywhere in the United States, and that the education that the people receive at the hands of our University will equip them for the battles of life in any and all walks of life throughout the world.

DAYTON.

The resolution was read and on

motion of Senator Dayton the same was set as a special order for 3 o'clock next Monday afternoon.

### Simple Resolution No. 30.

Whereas, It is known that one John Mathis, was a recent nominee of the Governor as a member of the Board of Regents, and his name has not been sent up for confirmation and appointment to this, the first session of the State Senate since the appointment of said Mathis; and

Whereas, It is rumored that said Mathis has resigned, but no name has been sent up for appointment in his place; therefore be it

Resolved, By the Senate that it is the sense of this body that if said Mathis has been nominated during recess, his name should be sent here for rejection or confirmation; and if he has resigned, that then it is the sense of this body that another nominee should be sent up and the resolution be referred to the committee on nominations, with instructions to make report as to whether the Senate in executive session should take action as to said Mathis.

LATTIMORE.

The resolution was read and Senator Lattimore moved the adoption of the same.

Senator Clark moved as a substitute to table the resolution and that motion was lost by the following vote:

Yeas—3.

Clark.  
Hall.

Hudspeth.

Nays—18.

Alderdice.  
Bee.  
Buchanan of Bell.  
Buchanan of Scurry.  
Caldwell.  
Dayton.  
Dean.  
Decherd.  
Hopkins.

Johnson of Hall.  
Johnston of Harris.  
Lattimore.  
McNealus.  
Page.  
Robbins.  
Strickland.  
Sulter.  
Westbrook.

Present—not Voting.

Bailey.

Absent.

Floyd.  
Harley.

Smith.  
Woodward.

## Absent—Excused.

Gibson. McCollum.  
Henderson. Parr.

The resolution was then adopted.

## Simple Resolution No. 25.

The Chair laid before the Senate as regular order and on second reading:

S. R. No. 25, relating to resignation of Wilbur P. Allen as a regent of the State University. (See page 46 of the Journal.)

The question being upon the adoption of the committee report carrying the following:

## Committee Substitute.

Whereas, During the First Called Session of the Thirty-fifth Legislature Wilbur P. Allen's appointment as Regent of the University of Texas was confirmed by the Senate; and

Whereas, Before said confirmation the said Wilbur P. Allen, in person and through his agents and friends, advised various members of this body that, if confirmed, he would not favor the discharge of any instructor in the University of Texas without giving such person a fair, complete and impartial hearing; and

Whereas, Because and by reason of these and sundry other statements the said Wilbur P. Allen was confirmed; and

Whereas, Said statements and promises made by said Allen were not carried out and kept; and

Whereas, He received his confirmation because of said statements and representations, and the Senate is of opinion that said Allen has not kept faith with the Senate; therefore, be it

Resolved, By the Senate of the State of Texas, that said Wilbur P. Allen secured his confirmation as Regent as the result of such statements made by and through him and his friends and agents, with his approval, and that it is the sense of this body that he should resign at once.

Senator Strickland moved to adopt the committee report.

Senator Clark moved to table the same which motion was lost by the following vote:

## Yeas—5.

Clark. Hopkins.  
Hall. Hudspeth.  
Harley.

## Nays—18.

Alderdice. Johnston of Harris,  
Bee. Lattimore.  
Buchanan of Bell. McNealus.  
Buchanan of Scurry. Page.  
Caldwell. Robbins.  
Dayton. Smith.  
Dean. Strickland.  
Decherd. Sulter.  
Johnson of Hall. Westbrook.

## Present—not Voting.

Bailey.

## Absent.

Floyd. Woodward.

## Absent—Excused.

Gibson. McCollum.  
Henderson. Parr.

Action recurred upon the committee report and the same was adopted.

The resolution as substituted was then adopted.

## Senate Bill No. 5.

The Chair laid before the Senate on second reading and as regular order,

S. B. No. 5, A bill to be entitled "An Act to regulate the business of emigrant agents; defining emigrant agents; providing for licensing any person, firm, or private employment agency desiring to be licensed as an emigrant agent, and prescribing the method of obtaining such license, and the requirements thereof, and defining who may be licensed, etc., and declaring an emergency."

The committee report that the bill be printed in the Journal only was adopted.

Senator Bailey offered the following amendment, which was read and adopted:

(1)

Amend Senate Bill No. 5 by inserting in Section 2, line 4 of said section as printed in the Journal, after the word "person," the words "firm or private employment agency."

Senator Caldwell offered the following amendment, which was read and adopted:

(2)

Amend Senate Bill No. 5 by inserting after the word "person," line 1 of Section 6 the words, "or members of a firm or private employment agency."

Senator Bee offered the following amendment, which was read and adopted:

(3)

Amend by striking out the words "or any lawful rule of the commissioner" in the last lines of Section 3, page 55.

Senator Bailey offered the following amendment, which was read and adopted:

(4)

Amend the bill by inserting after Section 8 the following:

"Section 9. Nothing in this Act shall in any way be construed to apply to or include persons, firms or private employment agencies engaged in the business of securing teachers for public or private schools or positions in private or public schools for teachers."

Number Section 9 of the printed bill Section 10.

The bill was read second time and passed to engrossment.

On motion of Senator Hall, the constitutional rule requiring bills to be read on three several days was suspended and Senate Bill No. 5 put on its third reading and final passage by the following vote:

Yeas—21.

Alderdice.	Hopkins.
Bailey.	Hudspeth.
Bee.	Johnston of Harris
Buchanan of Bell.	Lattimore.
Buchanan of Scurry.	McNealus.
Caldwell.	Page.
Clark.	Robbins.
Dayton.	Smith.
Dean.	Suiter.
Hall.	Westbrook.
Harley.	

Absent.

Decherd.	Johnson of Hall.
Floyd.	Strickland.
Henderson.	Woodward.

Absent—Excused.

Gibson.	Parr.
McCollum.	

The bill was laid before the Senate, read third time and, on motion of Senator Hall, was passed by the following vote:

Yeas—22.

Alderdice.	Harley.
Bailey.	Hopkins.
Bee.	Hudspeth.
Buchanan of Bell.	Johnson of Hall.
Buchanan of Scurry.	Johnston of Harris
Caldwell.	McNealus.
Clark.	Page.
Dayton.	Robbins.
Dean.	Smith.
Decherd.	Suiter.
Hall.	Westbrook.

Nays—2.

Lattimore.	Woodward.
------------	-----------

Absent.

Floyd.	Strickland.
Henderson.	

Absent—Excused.

Gibson.	Parr.
McCollum.	

Senator Hall moved to reconsider the vote by which Senate Bill No. 5 was passed and table the motion to reconsider.

The motion to table prevailed.

### Senate Bill No. 6.

The Chair laid before the Senate on second reading,

S. B. No. 6, A bill to be entitled "An Act creating the Center Oak Independent School District of Bell County, Texas, with certain metes and bounds; providing for the election of trustees of said school district; naming the trustees and officials and their terms of office; and caring for the present bonded indebtedness on said territory as embraced in the Center Oak Consolidated Common School District, validating and providing for collection of present maintenance tax levy, and declaring an emergency."

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Buchanan of Bell, the constitutional rule re-

quiring bills to be read on three several days was suspended, and Senate Bill No. 6 put on its third reading and final passage by the following vote:

Yeas—22.

Bailey.	Hopkins.
Bee.	Hudspeth.
Buchanan of Bell.	Johnson of Hall.
Buchanan of Scurry.	Johnston of Harris
Caldwell.	Lattimore.
Clark.	McNealus.
Dayton.	Robbins.
Dean.	Smith.
Decherd.	Suiter.
Hall.	Westbrook.
Harley.	Woodward.

Absent.

Alderdice.	Page.
Floyd.	Strickland.

Absent—Excused.

Gibson.	McCollum.
Henderson.	Parr.

The bill was laid before the Senate, read third time and, on motion of Senator Buchanan of Bell, was passed by the following vote:

Yeas—22.

Bailey.	Hopkins.
Bee.	Hudspeth.
Buchanan of Bell.	Johnson of Hall.
Buchanan of Scurry.	Johnston of Harris
Caldwell.	Lattimore.
Clark.	McNealus.
Dayton.	Robbins.
Dean.	Smith.
Decherd.	Suiter.
Hall.	Westbrook.
Harley.	Woodward.

Absent.

Alderdice.	Page.
Floyd.	Strickland.
McCollum.	

Absent—Excused.

Gibson.	Parr.
Henderson.	

(Senator Westbrook in the chair.)

Senate Bill No. 9.

(By unanimous consent.)

On motion of Senator Hudspeth,

the constitutional rule requiring bills to be read on three several days was suspended and Senate Bill No. 9 put on its second reading by the following vote:

Yeas—22.

Bailey.	Hopkins.
Bee.	Hudspeth.
Buchanan of Bell.	Johnson of Hall.
Buchanan of Scurry.	Johnston of Harris
Caldwell.	Lattimore.
Clark.	McNealus.
Dayton.	Robbins.
Dean.	Smith.
Decherd.	Suiter.
Hall.	Westbrook.
Harley.	Woodward.

Absent.

Alderdice.	Page.
Floyd.	Strickland.

Absent—Excused.

Gibson.	McCollum.
Henderson.	Parr.

The Chair laid before the Senate on second reading,

S. B. No. 9, A bill to be entitled "An Act to amend Chapter 60 of the General Laws of the State of Texas, passed at the Regular Session of the Thirty-fifth Legislature of the State of Texas, and being an Act supplementing the Act creating the Live Stock Sanitary Commission for the State of Texas, and which is known as the eradication of cattle tick law, so that hereafter Val Verde County, in the State of Texas, shall be placed in Zone No. 2, instead of Zone No. 1 as heretofore, and declaring an emergency."

The Senate rule requiring committee reports to lie over for one day was suspended.

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Hudspeth, the constitutional rule requiring bills to be read on three several days was suspended and Senate Bill No. 9 put on its third reading and final passage by the following vote:

Yeas—22.

Bailey.	Buchanan of Scurry.
Bee.	Clark.
Buchanan of Bell.	Dayton.

Dean.	Lattimore.
Decherd.	McNealus.
Hall.	Page.
Harley.	Robbins.
Hopkins.	Strickland.
Hudspeth.	Suiter.
Johnson of Hall.	Westbrook.
Johnston of Harris	Woodward.

Absent.

Alderdice.	Floyd.
Caldwell.	Smith.

Absent—Excused.

Gibson.	McCollum.
Henderson.	Parr.

The bill was laid before the Senate, read third time and, on motion of Senator Hudspeth, was passed by the following vote:

Yeas—22.

Bailey.	Hudspeth.
Bee.	Johnson of Hall.
Buchanan of Bell.	Johnston of Harris
Buchanan of Scurry.	Lattimore.
Clark.	McNealus.
Dayton.	Page.
Dean.	Smith.
Decherd.	Strickland.
Hall.	Suiter.
Harley.	Westbrook.
Hopkins.	Woodward.

Absent.

Alderdice.	Floyd.
Caldwell.	Robbins.

Absent—Excused:

Gibson.	McCollum.
Henderson.	Parr.

Recess.

At 12:25 o'clock p. m. the Senate, on motion of Senator McNealus recessed until 3 o'clock today.

After Recess.

(Afternoon Session.)

The Senate was called to order at 3 o'clock by Lieutenant Governor Hobby.

## Bills and Resolutions.

(By unanimous consent.)

By Senators Hudspeth and McNealus:

S. B. No. 10; A bill to be entitled "An Act to provide for the relief of citizens of Texas suffering by reason of the severe drouth now existing, to make appropriation therefor, prescribing the manner in which it shall be handled and distributed, and declaring an emergency."

Read first time and referred to Committee on Finance.

At Ease.

At 3:05 o'clock p. m. Senator Bailey moved that the Senate stand at ease until 3:30 o'clock today.

The motion prevailed.

In the Senate.

The Senate was called to order by the Chair, President Pro Tem. Smith.

Adjournment.

At 3:33 o'clock p. m. Senaor McNealus moved that the Senate adjourn until 10 o'clock tomorrow morning.

The motion prevailed.

## APPENDIX.

### Petitions and Memorials.

Fleming Ranch,  
Sandy, Blanco county, Texas,  
August 19, 1917.

Senator J. C. McNealus, Austin, Tex.

Dear Senator McNealus: From the papers of August 16th (you see "Uncle Sam" does not visit us every day), I note the Governor's appeal for aid for the drouth-stricken Texas section. I want to say that conditions in Blanco county, Texas are deplorable and distressing. All kinds of food and feed crops are an entire failure, and cattle are dying.

Another great trouble is, the farmers have no seed for planting next year's crop, nor have they money to buy with.

Never have we had such a drouth in the history of the county. We have as fine a class of thrifty farmers and ranching people as can be found in Texas; yet with many, the matter of securing food is of gravest concern.

If the Legislature only knew the condition, I am sure they would give prompt consideration of this grave matter.

Very sincerely yours,  
DORA H. (Mrs. Fred) FLEMING.

#### Engrossing Committee Report.

Committee Room,  
Austin, Texas, Aug. 23, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully compared Senate Bill No. 5 and find the same correctly engrossed.

WESTBROOK, Vice-Chairman.

#### Committee Report.

(Floor Report.)

Senate Chamber,  
Austin, Texas, Aug. 23, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Stock and Stock Raising, to whom was referred

S. B. No. 9, A bill to be entitled "An Act to amend Chapter 60 of the General Laws of the State of Texas, passed at the Regular Session of the Thirty-fifth Legislature of the State of Texas, and being an Act supplementing the Act creating the Live Stock Sanitary Commission for the State of Texas, and which is known as the Eradication of Cattle Ticks Law, so that hereafter Val Verde County, in the State of Texas, shall be placed in Zone No. 2, instead of Zone No. 1 as heretofore, and declaring an emergency."

Have had the same under consideration and beg to report it back to the Senate with the recommendation that it do pass and be not printed.

Clark, Chairman; Hudspeth, Parr, Johnson, Dean, Buchanan of Bell, Robins.

#### Enrolling Committee Report.

Committee Room,  
Austin, Texas, Aug. 23, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Enrolled Bills beg leave to report that we have carefully compared Senate Concurrent Resolution No. 2, copy of which accompanies this report, and find the same correctly enrolled, and have this day at 9:30 o'clock a. m. presented same to the Governor for his approval.

SMITH, Chairman.

S. C. R. No. 2.

By Bee.

Be it resolved by the Senate, the House of Representatives concurring, that,

Whereas, The interest of the cotton growers of our State has always been of paramount interest to our people; and,

Whereas, It has come to the knowledge of the Senate that the Hon. J. T. Heflin, a member of Congress from Alabama, will shortly visit the State; and,

Whereas, Congressman Heflin has ever been a faithful and loyal champion of the interest of the cotton growers of the South; therefore be it

Resolved by the Senate, the House of Representatives concurring, That the Hon. J. T. Heflin be invited to address a joint session of the Senate and House at such time as may be convenient to him and that the President of the Senate and the Speaker of the House be directed to telegraph this invitation to the said Hon. J. T. Heflin.

#### SIXTEENTH DAY.

Senate Chamber,  
Austin, Texas,  
Friday, August 24, 1917.

The Senate met at 10 o'clock a. m. pursuant to adjournment, and was called to order by President Pro Tem. Smith.

The roll was called, a quorum being present, the following Senators answering to their names:

Alderdice.	Dayton.
Bailey.	Dean.
Bee.	Decherd.
Buchanan of Bell.	Floyd.
Buchanan of Scurry.	Harley.
Caldwell.	Henderson.